

Application No. 10/675,928  
Amendment dated September 28, 2005  
Reply to Office Action of June 28, 2005

PATENT

**Amendments to the Drawings:**

The attached 6 sheets of drawings include Figures 1-4 and replace the original sheets including Figures 1-4. No substantive changes have been made to the Figures.

Attachment: Replacement Sheets

**REMARKS/ARGUMENTS**

Claims 1-19 were pending in this application. Claims 1, 4 and 14 have been amended. Claims 2, 3, 10-13 and 19 have been canceled. No claims have been added. Hence, claims 1, 4-9 and 14-18 are pending after entry of the amendments herein. Reconsideration of the subject application as amended is respectfully requested.

Claims 1, 2, 10, 14 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the cited portions of U.S. Patent No. 5,926,392 to York et al. (hereinafter "York").

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over York in view of the cited portions of U.S. Patent No. 5,464,099 to Stevens et al. (hereinafter "Stevens, '099").

Claims 7, 11 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over York, in view of the cited portions of U.S. Patent No. 5,388,815 to Hill et al. (hereinafter "Hill").

Claims 8, 9, 12, 13, 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over York, in view of the cited portions of U.S. Patent No. 5,460,273 to Stevens et al. (hereinafter "Stevens, '273").

Claims 4, 5, 6 and 19 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Claim Rejections Under 35 U.S.C. § 102(b)**

Claim 1 has been amended to include the subject matter of claims 2 and 3. The subject matter of claim 3 stands rejected under 35 U.S.C. § 103(a) in light of Stevens, '099. The subject matter from claim 3, now included in claim 1, recites "a sensor that senses whether the mail processing device is in the first position or the second position." This limitation is not

taught or suggested by Stevens, '099. Stevens appears to teach sensors that "detect passage of the leading and/or trailing edges of objects as they pass through the processing apparatus."

Detecting the passage of objects is different from detecting whether the mail processing device is in the first position or the second position. Hence, claims 1 and 6-9 are believed to be allowable, at least for this reason.

Claim 4 has been re-written in independent form to include the subject matter of claim 1. Claim 4 was previously objected to. Hence, claims 4 and 5 are believed to be allowable.

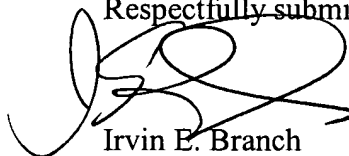
Claim 14 has been amended to include the subject matter of claim 19. Claim 19 was previously objected to. Hence, claims 14-18 are believed to be allowable.

### **Conclusion**

In view of the foregoing, the Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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